

1 R. Alexander Saveri (173102)

2 *rick@saveri.com*

3 Geoffrey C. Rushing (126910)

4 *grushing@saveri.com*

5 Matthew D. Heaphy (227224)

6 *mheaphy@saveri.com*

7 Sarah Van Culin (293181)

8 *sarah@saveri.com*

9 **SAVERI & SAVERI, INC.**

10 706 Sansome Street

11 San Francisco, California 94111

12 Telephone: (415) 217-6810

13 Facsimile: (415) 217-6813

14 *Interim Lead Counsel for the
15 Direct Purchaser Plaintiffs*

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **OAKLAND DIVISION**

19 IN RE: CATHODE RAY TUBE (CRT)
20 ANTITRUST LITIGATION

21 Master File No. 07-CV-5944-JST

22 MDL No. 1917

23 This Document Relates To:

24 ***ALL DIRECT PURCHASER ACTIONS***

25 **DECLARATION OF R. ALEXANDER
26 SAVERI IN SUPPORT OF DIRECT
27 PURCHASER PLAINTIFFS' MOTION FOR
28 CLASS CERTIFICATION RE: THE IRICO
DEFENDANTS**

29 Date: March 24, 2022

30 Time: 2:00 p.m.

31 Judge: Hon. Jon S. Tigar

32 Ctrm: 6, 2nd Floor

1 I, R. ALEXANDER SAVERI, declare:

2 1. I am the managing partner of Saveri & Saveri, Inc., which the Court has appointed
3 to act as interim lead counsel on behalf of the Direct Purchaser Plaintiffs (“Plaintiffs”) in this
4 action. I have been involved in almost every aspect of this case since its inception. I submit this
5 declaration in support of Direct Purchaser Plaintiffs’ Motion for Class Certification. Except as
6 otherwise noted, I make this declaration of my own personal knowledge, and if called upon to do
7 so, could and would testify competently to the facts contained herein.

8 2. Irico’s co-conspirators are: (a) Chunghwa Picture Tubes, Ltd. and Chunghwa
9 Picture Tubes (Malaysia) Sdn Bhd. (collectively “Chunghwa”); (b) Daewoo International
10 Corporation, Daewoo Electronics Corporation f/k/a Daewoo Electronics Company, Ltd., Orion
11 Electric Company (“Orion”), and Daewoo-Orion Societe Anonyme (collectively
12 “Daewoo/Orion”); (c) Hitachi Ltd.; Hitachi Displays, Ltd., Hitachi America, Ltd., Hitachi Asia,
13 Ltd., Hitachi Electronic Devices (USA), and Shenzhen SEG Hitachi Color Display Devices, Ltd.
14 (collectively “Hitachi”); (d) LG Electronics, Inc. (“LGE”), LG Electronics USA, Inc., and LG
15 Electronics Taiwan Taipei Co., Ltd. (collectively “LG”); (e) LP Displays International, Ltd.
16 (“LPD”); (f) Panasonic Corporation, f/k/a Matsushita Electric Industrial Co., Ltd., Matsushita
17 Electronic Corporation (Malaysia) Sdn Bhd., and Panasonic Corporation of North America
18 (collectively “Panasonic”); (g) Koninklijke Philips Electronics N.V., Philips Electronics Industries
19 Ltd., Philips Electronics North America, Philips Consumer Electronics Co., Philips Electronics
20 Industries (Taiwan), Ltd., and Philips dba Amazonia Industria Electronica Ltda. (collectively
21 “Philips”); (h) Samsung Electronics America, Inc., Samsung SDI (Malaysia) Sdn Bhd., Samsung
22 SDI Co., Ltd. f/k/a Samsung Display Device Company (“Samsung SDI” or “SDI”), Samsung SDI
23 Mexico S.A. de C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co. Ltd., and Tianjin
24 Samsung SDI Co., Ltd. (collectively “Samsung”); (i) Thai CRT Company, Ltd.; (j) Toshiba
25 Corporation, Toshiba America, Inc., Toshiba America Consumer Products LLC, Toshiba America
26 Consumer Products, Inc., Toshiba America Electronic Components, Inc., Toshiba America
27 Information Systems, Inc., and Toshiba Display Devices (Thailand) Company, Ltd. (collectively
28 “Toshiba”); (k) MT Picture Display Co., Ltd., f/k/a Matsushita Toshiba Picture Display Co., Ltd.,

1 (“MTPD”); (l) Beijing-Matsushita Color CRT Company, Ltd. (“BMCC”); (m) Technicolor SA
 2 (f/k/a Thomson SA) (“Thomson SA”) and Technicolor USA, Inc. (f/k/a Thomson Consumer
 3 Electronics, Inc.) (“Thomson Consumer”), and Technologies Displays Americas LLC (f/k/a
 4 Thomson Displays Americas LLC) (“TDA”), and Videocon Industries, Ltd. (“Videocon”)
 5 (collectively “Thomson”); and (n) Mitsubishi Electric Corporation, Mitsubishi Electric US, Inc.
 6 (f/k/a Mitsubishi Electric & Electronics USA, Inc.), and Mitsubishi Electric Visual Solutions
 7 America, Inc. (f/k/a Mitsubishi Digital Electronics America, Inc.) (collectively “Mitsubishi”).

8 3. This Court has certified numerous direct and indirect purchaser settlement classes.

9 *See Order Granting Prelim. Approval of Class Action Settlement with Def. Chunghwa Picture
 10 Tubes, Ltd. (Aug. 9, 2011) (ECF No. 992) (IPPs); Order Granting Settlement Class Certification
 11 and Prelim. Approval of Class Action Settlements with CPT and Philips (May 3, 2012) (ECF No.
 12 1179) (DPPs); Order Granting Settlement Class Certification and Prelim. Approval of Class Action
 13 Settlement with Panasonic (Aug. 27, 2012) (ECF No. 1333) (DPPs); Order Granting Settlement
 14 Class Certification and Prelim. Approval of Class Action Settlement with LG Defs. (Nov. 13,
 15 2012) (ECF No. 1441) (DPPs); Order Granting Settlement Class Certification and Prelim.
 16 Approval of Class Action Settlement with Toshiba Defs. (Mar. 18, 2013) (ECF No. 1603) (DPPs);
 17 Revised Order Granting Prelim. Approval of Class Action Settlement with LG Electronics, Inc.;
 18 LG Electronics USA, Inc.; and LG Electronics Taiwan Taipei Co., Ltd. (Dec. 9, 2013) (ECF No.
 19 2248) (IPPs); Order Granting Settlement Class Certification and Prelim. Approval of Class Action
 20 Settlement with the Hitachi Defs. (Jan. 8, 2014) (ECF No. 2311) (DPPs); Order Granting
 21 Settlement Class Certification and Prelim. Approval of Class Action Settlement with the Samsung
 22 SDI Defs. (Apr. 14, 2014) (ECF No. 2534) (DPPs); Order Granting Class Certification and Prelim.
 23 Approval of Class Action Settlement with the Thomson and TDA Defs. (June 12, 2015) (ECF No.
 24 3872) (DPPs); Order Granting Prelim. Approval of Class Action Settlement with Mitsubishi Elec.
 25 Defs. (Feb. 13, 2017) (ECF No. 5116) (DPPs); Order Granting Prelim. Approval (Mar. 11, 2020)
 26 (ECF No. 5695) (22 Indirect Purchaser State Classes with Phillips, Panasonic, Hitachi, Toshiba,
 27 Samsung, and Thomson/TDA).*

4. Attached hereto as Exhibit A is a true and correct copy of excerpts from the transcript of the deposition of J.S. Lu taken in this action designated "Highly Confidential" by Defendant Chunghwa.

5. Attached hereto as Exhibit B is a true and correct copy of excerpts from the transcript of the deposition of Zhaojie Wang (Day 3) taken in this action. The Irico Defendants withdrew their “Highly Confidential” designation as to these excerpts by letter dated April 19, 2019, a true and correct copy of which is attached hereto as Exhibit C.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on November 19, 2021 at San Francisco, California.

/s/ R. Alexander Saveri

R. Alexander Saveri

EXHIBIT A

**EXHIBIT FILED UNDER
SEAL**

EXHIBIT B

Wang Zhaojie - Highly Confidential

1

1
IN THE UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 San Francisco Division4
- - - - -
5 IN RE:)
6 CATHODE RAY TUBE (CRT)) Master File No.
7 ANTITRUST LITIGATION) 07-CV-5944-JST
8)
9) MDL No. 1917
10)
11)
12)
13 - - - - -9
DEPOSITION OF WANG ZHAOJIE

10 HIGHLY CONFIDENTIAL

11 VOLUME III

12 Friday, March 8th, 2019

13 AT: 9.05 am

14 Taken at:

15 Kobre & Kim
16 6/F ICBC Tower
17 3 Garden Road
Central
Hong Kong18
19
20
21
22
23 Court Reporter:24 Bron Williams
Accredited Real-time Reporter
25

Wang 20190308-190309-001
March 08, 2019

88

1 Actually, it is my question, when you say Caihuang do you
2 mean Irico Royal Company? Because we don't call this
3 company Caihuang, we just call it Caihong HuangQi. However,
4 based on the deposition I have went through the whole day,
5 my guess is that Caihuang is Caihong HuangQi, which means
6 Caihuang is Irico Royal Company.

7 MS. CAPURRO: Okay. Thank you, Mr. Wang, that's
8 all I have for that document.

9 THE COURT REPORTER: Exhibit 8423 is marked.

10 (Previously marked Exhibit 1108 shown to witness)

11 MS. CAPURRO: For the record, this document has
12 been previously marked as Exhibit 1108. For some reason
13 they marked it on the first page of the document, as opposed
14 to the cover page.

15 THE COURT REPORTER: If it is previously marked
16 you can hand it straight to the witness and then I won't be
17 confused.

18 MS. CAPURRO: Mr. Wang, we have handed you
19 a document which has been previously marked as Exhibit 1108
20 in this case.

21 This is a document produced by Chunghwa Picture
22 Tubes in this case reflecting notes of a meeting that took
23 place on May 20th 1999. Please take a minute to review the
24 document and let me know when you are finished.

25 A. Yes, I'm done.

1 Q. Directing your attention to the first page of
2 the document, Bates stamped CHU00029191.

3 A. Okay.

4 Q. It lists the attendees of this meeting as SDD.
5 Do you see that?

6 A. Yes.

7 Q. Does that stand for Samsung SDI?

8 MR. PLUNKETT: Object to the form.

9 A. I'm not clear with regard to CPT's statement.

10 Normally we will call it SDI.

11 BY MS. CAPURRO:

12 Q. Okay, directing your attention to the page
13 Bates stamped CHU00029194.

14 Directing your attention to the paragraph at the
15 top of the page. It says:

16 "Therefore, all makers agreed that as long as
17 everyone synchronizes the price-up implementation, even at
18 the risk of suffering slow business for one month because
19 customers hesitated or were taking a wait and see attitude,
20 eventually we would pull through and definitely accomplish
21 the price-hike targets according to schedule."

22 Do you see that?

23 A. Yes, I saw it.

24 Q. Okay. Further down the page at bullet 3 it
25 says:

1 "IRICO ... and BMCC."

2 Do you see that?

3 A. Yes.

4 Q. It says:

5 "CPT was elected as representative to convey the
6 [quarter] 3 price-up news to IRICO, and ask it to
7 follow ..."

8 Do you see that?

9 A. Yes.

10 Q. As Irico's 30(b) (6) designee, were you ever
11 aware of representatives of Chunghwa contacting Irico Group
12 or Irico Display to ask them to follow price agreements
13 reached at meetings of CRT competitors?

14 MR. PLUNKETT: Object to the form, lacks
15 foundation.

16 A. I don't understand the situation. This is
17 a report from CPT.

18 MS. CAPURRO: Aside from this document, are you
19 aware -- strike that.

20 Aside from this document, did Chunghwa ever
21 contact Irico and ask them to follow price agreements
22 reached at meetings with other CRT competitors?

23 A. I have no knowledge about that. What right
24 does CPT have to ask us to follow that price agreement?
25 I don't understand.

1 Q. You can set that document aside.

2 (Exhibit 8423 marked for identification)

3 Q. Mr. Wang, the court reporter has handed you
4 the next document that has been marked as an exhibit as
5 Exhibit number 8423. Please take a minute to review the
6 document and let me know when you are ready.

7 A. Yes, I have read it.

8 Q. See at the top of the page the date says
9 May 24th, 1999?

10 A. Yes.

11 Q. I will refer you back to the previous exhibit.
12 CHU000029191, and the date there was May 20th, 1999.
13 Correct?

14 A. Yes.

15 Q. These are notes of Chunghwa's Lu Jing-Song.
16 Do you know Lu Jing-Song?

17 MR. PLUNKETT: Object to the form.

18 A. I wouldn't say I know this person, but
19 I thought I met him before.

20 BY MS. CAPURRO:

21 Q. Directing your attention to the first
22 paragraph, it's:

23 "Just contacted Irico's Vice-President Wei by
24 phone. (Manager Lee is unable to be contacted because he is
25 on a flight from Beijing back to Xian now.) I explained

1 that we hoped that IRICO could cooperate with us to increase
2 the 14-inch CPT sales price starting July 1. IRICO
3 basically agreed."

4 Do you see that?

5 A. Yes.

6 Q. Did Vice President Wei or Manager Lee ever
7 inform you regarding this call from Jing-Song Lu to them?

8 MR. PLUNKETT: Object to the form, lacks
9 foundation.

10 A. I can tell right now, no I don't have any
11 impression.

12 BY MS. CAPURRO:

13 Q. Do you recall where you met Mr. Lu?

14 A. I don't have a very good strong impression
15 about this person. When I saw this name and also I realized
16 he is from CPT, so I suppose I have met this person before.
17 With regard to when I met this person, I cannot remember.

18 Q. Do you recall whether Mr. Lu attended meetings
19 -- strike that. Do you recall whether you attended meetings
20 of your competitors at which Mr. Lu was also there?

21 A. With regard to this type of meeting, I have
22 attended many, many such meetings, plus it was very long
23 ago, so if he was there, then I have met him. If he was not
24 then I have not. I really don't remember.

25 Q. Okay. You can set that document aside.

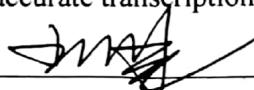
1 CERTIFICATE OF COURT REPORTER
23 I, Bron Williams, an Accredited Real-time Reporter, hereby
4 certify that the testimony of the witness Wang Zhaojie in
5 the foregoing transcript, numbered pages 1 through 115,
6 taken on this 8th day of March, 2018 was recorded by me in
7 machine shorthand and was thereafter transcribed by me; and
8 that the foregoing transcript is a true and accurate
9 verbatim record of the said testimony.10
11
12 I further certify that I am not a relative, employee,
13 counsel or financially involved with any of the parties to
14 the within cause, nor am I an employee or relative of any
15 counsel for the parties, nor am I in any way interested in
16 the outcome of the within cause.17
18
19 Signed: *Bron Williams*

20 Name: Bron Williams

21 Date:

CERTIFICATE OF DEPONENT

I, WANG ZHAOJIE, hereby certify that I have read the foregoing pages, numbered 1 through 113, of my deposition of testimony taken in these proceedings on Friday, March 8, 2019 and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed: 

Name: · Wang Zhaojie

Date: · 2019. 4. 19



ERRATA SHEET

Case Name: In Re Cathode Ray Tube Antitrust Litigation

Witness Name: Wang Zhaojie

Date: 03/08/2019

Subscribed and sworn to before me this 19th day of April, 2019.

WANG ZHAOJIE



EXHIBIT C

BAKER BOTTS LLP

101 CALIFORNIA ST. SUITE 3600 SAN FRANCISCO, CALIFORNIA 94111	AUSTIN BEIJING BRUSSELS DALLAS DUBAI TEL +1.415.291.6200 FAX +1.415.291.6300 BakerBotts.com	LONDON MOSCOW NEW YORK PALO ALTO RIYADH HONG KONG HOUSTON SAN FRANCISCO WASHINGTON
--	--	---

April 19, 2019

Stuart C. Plunkett
TEL: 415.291.6203
FAX: 415.291.6303
stuart.plunkett@bakerbotts.com

VIA ELECTRONIC MAIL

Matthew D. Heaphy
Saveri & Saveri Inc.
706 Sansome Street
San Francisco, CA 94111

Lauren C. Capurro
Trump Alioto Trump & Prescott, LLP
2280 Union Street
San Francisco, CA 94123

Re: *In re: Cathode Ray Tubes (CRT) Antitrust Litigation*, Case No. 07-cv-5944-JST,
MDL No. 1917

Dear Matthew & Lauren:

The Irico Defendants withdraw the “Highly Confidential” designation from the Wang Zhaojie deposition transcripts and designate the following portions of the transcripts as “Confidential” pursuant to the Stipulated Protective Order:

- March 6, 2019: 13:25-14:5; 33:10-16.

Please feel free to contact me with any questions regarding the above information.

Sincerely,



Stuart C. Plunkett

cc: Guido Saveri (guido@saveri.com)
R. Alexander Saveri (rick@saveri.com)
Geoffrey C. Rushing (grushing@saveri.com)

BAKER BOTTS LLP

- 2 -

April 19, 2019

Cadio Zirpoli (cadio@saveri.com)
Mario N. Alioto (malioto@tatp.com)
Joseph M. Patane (jpatane@tatp.com)
Christopher Micheletti (cmicheletti@zelle.com)
Qianwei Fu (qfu@zelle.com)